

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UMG RECORDINGS, INC.,
CAPITOL RECORDS, LLC,
UNIVERSAL MUSIC CORP.,
POLYGRAM PUBLISHING, INC,
SONGS OF UNIVERSAL, INC.,
UNIVERSAL MUSIC – MGB NA LLC,
and UNIVERSAL MUSIC – Z TUNES LLC,

Plaintiffs,

v.

BRINKER INTERNATIONAL, INC.,
BRINKER INTERNATIONAL PAYROLL
COMPANY, L.P.,
and DOES 1 THROUGH 10,

Defendants.

Civil Action No.: 3:24cv2535-K

JURY TRIAL DEMANDED

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**DEFENDANTS' UNOPPOSED MOTION TO EXTEND DEADLINE
FOR DEFENDANTS' RESPONSE TO COMPLAINT**

Defendants Brinker International, Inc. and Brinker International Payroll Company, L.P. (collectively “Brinker”) respectfully submit this unopposed motion to extend the deadline for their response to Plaintiffs’ Complaint [Doc. No. 1], and would respectfully show the Court as follows:

Current Deadline

Brinker’s deadline to answer or file a motion pursuant to Rule 12 is January 27, 2025. Electronic Order [Doc. No. 21].

Requested Extension

By this motion, Brinker seeks extension of its deadline for responding to the Complaint. The new deadline would be February 26, 2025.

Good Cause

Federal Rule of Civil Procedure 6(b) authorizes the Court to extend the deadline for responsive pleadings if good cause exists. “An application for extension of time under Rule 6(b)(1)(A) normally will be granted in the absence of bad faith on the part of the party seeking relief or prejudice to the adverse party.” *Reed Migraine Ctrs. of Tex., PLLC v. Chapman*, No. 3:14-CV-1204-N, 2020 BL 63100, at *2 (N.D. Tex. Feb. 21, 2020) (quoting 4B *Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure*§ 1165 (4th ed. 2008)).

Brinker believes the parties can resolve this dispute without the need for unnecessary litigation costs or Court resources and respectfully submits that this constitutes good cause under Rule 6(b). This extension is not sought for the purpose of delay but to give the parties further opportunity to negotiate a potential resolution, as substantial progress has been made since Brinker last sought an unopposed extension of its response deadline. Accordingly, there is no bad faith reason for seeking this extension, and Plaintiffs do not oppose the requested extension, indicating that Plaintiffs agree they will suffer no prejudice if the Court extends Brinker’s deadline until February 26, 2025.

Conclusion

Brinker respectfully requests that the Court extend the deadline for Brinker to file its answer, a motion pursuant to Rule 12, or other response until February 26, 2025. Brinker further requests such additional and further relief to which it may be entitled.

Dated: January 24, 2025

Respectfully submitted,

/s/ Maura L. Rees

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COUNSEL FOR DEFENDANTS
BRINKER INTERNATIONAL, INC. AND
BRINKER INTERNATIONAL PAYROLL
COMPANY, L.P

CERTIFICATE OF CONFERENCE

I certify that I conferred with counsel for Plaintiffs regarding the foregoing Unopposed Motion to Extend Deadline for Defendants' Response to Complaint. Plaintiffs are unopposed to the extension requested.

/s/ Megan M. O'Laughlin
Megan M. O'Laughlin

CERTIFICATE OF SERVICE

On January 24, 2025, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Megan M. O'Laughlin
Megan M. O'Laughlin